

REMARKS

Applicant has amended the claims in response to the Final Office Action. Specifically, claim 11 was rewritten in independent form and claim 13 was amended to correct informalities identified by the Examiner. Accordingly, claims 1-20 remain pending.

Claim Objections

Claim 13 was amended to correct the antecedent basis informalities identified by the Examiner. Claim 13 now includes that the wheels connected to the base assembly comprise caster type wheels. Applicant respectfully submits that this amendment addresses the antecedent basis informalities identified by the Examiner and that claim 13 is in condition for allowance.

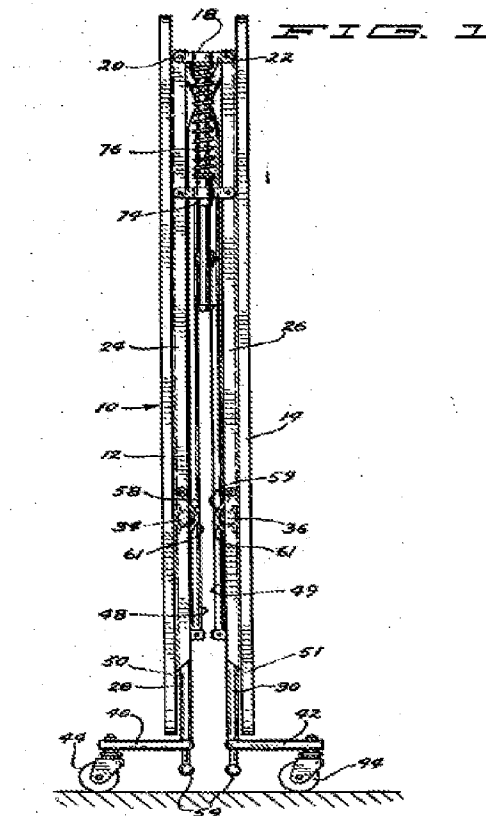
35 U.S.C. §102 Claim Rejections

The Examiner rejects claims 1-10 and 12-14 under 35 U.S.C. §102(b) as anticipated by United States Patent No. 3,080,833 to Risdell. The Risdell reference was introduced by the Examiner as a new ground of rejection in a final rejection, and the Examiner has not stated that this new ground of rejection was necessitated by the Applicant's previous amendments or based on information submitted by the Applicant in an Information Disclosure Statement. Accordingly, Applicant requests a new non-final rejection.

This rejection is also improper because Risdell does not teach the Applicant's invention. Applicant's claims 1-10 and 12-14 were rejected under 35 U.S.C. §102(b) as being anticipated by Risdell. Independent claim 1 recites "when the first and second platform panels are pivoted to a storage position substantially perpendicular to the ground surface the respective upper

surfaces of the first and second platform panels face one another.” The Examiner interprets portions 12 and 14 in Risdell as respectively teaching Applicant’s first and second platform panels.

The rejection does not establish anticipation because “the respective upper surfaces of the first and second platform panels face one another” in claim 1. As shown below, Figure 1 of Risdell shows the folded table in the folded condition. In Risdell, the upper surfaces of the portions 12 and 14 face away from one another when the folded table is in the folded condition. For this reason, Risdell does not meet the limitations of claim 1 and Applicant respectfully request that that the rejection be withdrawn. As claims 2-10 and 12-14 depend from claim 1, the rejection of these claims is also improper.



Claim Rejections 35 U.S.C. §103

Claims 15-20 stand rejected under 35 U.S.C. §103(a) as unpatentable over United States Patent No. 3,080,833 to Risdell. Again, the Risdell reference was introduced by the Examiner as a new ground of rejection in a final rejection, and the Examiner has not stated that this new ground of rejection was necessitated by the Applicant's previous amendments or based on information submitted by the Applicant in an Information Disclosure Statement. Accordingly, Applicant requests a new non-final rejection.

Further, the rejection does not establish obviousness because the combination proposed by the Examiner does properly suggest the Applicant's invention. The Examiner's proposed combination is shown in the below selection taken from the Office Action.

Claims 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 3,080,833 to Risdell.

Risdell teaches the basic structural elements for the foldable stage as set forth above. However, Risdell does not teach expressly the method steps from storage position to utilizing position as claimed by the applicant, examiner considers this to be the obvious method step of setting up device because in utilizing a foldable stage, one must obviously roll to and position on applicable place, disengage platform panels retainers, permit platform panels straight, lower ground engaging members or legs and adjust desirable highs. Risdell's disclosure would be motivated to follow these steps to facilitate assembly of a foldable stage as shown in Figs. 1-2, and 4.

Independent claim 15 recites “said platform panels pivotally connected to each other with the platform panels in a storage position substantially perpendicular to the ground surface wherein the respective upper surfaces of the platform panels face one another.” The Examiner states that Risdall teaches the “basic structural elements” for claims 15-20, but fails to consider that “the respective upper surfaces of the platform panels face one another” in claim 15. Accordingly, the combination proposed by the Examiner does not teach the Applicant’s invention, and claim 15 is allowable for at least this reason. As claims 16-20 depend from claim 15, these claims are also allowable.

Fees in the amount of \$460.00 for a two month extension of time in which to respond to this action, may be charged to Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds. Applicant believes that no additional fees are necessary; however the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the amount for any over payment.

Respectfully submitted,

CARLSON, GASKEY & OLDS

/Benjamin J. Coon/
Benjamin J. Coon
Registration No. 57,916
400 W. Maple, Suite 350
Birmingham, MI 48009
(248) 988-8360

Dated: November 28, 2007